

Amendment No. 1 to HB1199

Wirgau
Signature of Sponsor

AMEND Senate Bill No. 1089

House Bill No. 1199*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 7, is amended by adding the following language as a new section:

(a) This section shall be known and may be cited as the "Tennessee Freedom of Political Speech Act."

(b) Notwithstanding any law to the contrary, during a time period no less than sixty (60) days before an election until the day after that election:

(1) The state, a local government, or any other political subdivision of this state:

(A) Shall not regulate the shape or quantity of political or campaign posters or signs placed on private property that is located more than one hundred feet (100') from a polling place if the signs or posters are placed on the property by the owner of the property or any lawful resident of a residence on the property;

(B) May prohibit, notwithstanding subdivision (b)(1)(A), any political or campaign poster or sign covered by this section from exceeding forty (40) square feet in size; and

(2) A homeowners' association shall not, by covenant, condition, restriction, or rule, prohibit the display of political or campaign posters or signs placed on private property by the owner of the property or any lawful resident of a residence on the property. A homeowners' association may adopt reasonable

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covenants, conditions, restrictions, or rules with respect to the placement of political or campaign posters or signs placed on homeowner association common space and private property maintained by the owner or resident, including limiting the size of campaign posters or signs in those common and private property areas to four (4) square feet.

SECTION 2. This act applies to any covenant, condition, restriction, or rule contained in any agreement or contract between a homeowners' association and property owner executed or modified on or after the effective date of this act.

SECTION 3. This act shall take effect upon on July 1, 2017, the public welfare requiring it.